



EFW/AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: TSUBOI=7

In re Application of:)	Art Unit: 2834
)	
Takaaki TSUBOI et al)	Examiner: J. JONES
)	
Appln. No.: 10/621,409)	Washington, D.C.
)	
Filed: July 18, 2003)	Confirmation No. 2781
)	
For: POSITION-CONTROL STAGE)	April 21, 2005
WITH ONBOARD LINEAR MOTOR)	

REQUEST FOR WITHDRAWAL OF FINALITY OF REJECTION

Honorable Commissioner for Patents
Customer Service Window
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

This is not a substantive response to the Examiner's Action dated April 6, 2005. This is only a request that the finality of the rejection presented in that Action, which is based on a new ground and partly on newly cited references, be withdrawn as premature.

In support of the rejection, the Examiner alleges that "Applicant's amendment necessitated the new ground(s) of rejection". It is submitted that this assertion is unjustified.

Claim 2 was amended to place it in independent form, by incorporating the subject matter of original claim 1, from which claim 2 previously depended. Claim 2 was further amended solely in order to eliminate obvious informalities (the absence of indefinite articles) and to improve the clarity of the recitations relating to the configuration of the armature windings and field magnets. However, there is no

substantive limitation in the present version of claim 2 that was not also present in the original version of that claim. The important limitations defined in both claims are that the armature windings and the field magnets are in the shape of rectangles and that they are juxtaposed so that the spacing between adjacent windings or magnets increases in the circular direction.

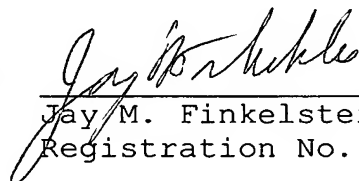
It is therefore respectfully requested that the finality of the rejection presented in the last Office Action be withdrawn as premature, or that the Examiner point out the limitation(s) in amended claim 2 that were not contained in the original version of claim 2 and that justified the new ground of rejection.

It might be mentioned that if amendments of the type made to claim 2 are used as a pretext for justifying the finality of a new ground of rejection, practitioners will be discouraged from voluntarily seeking to improve claim language when submitting a response.

Respectfully submitted,

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